

IN THE CLAIMS

1-27. (Cancelled)

28. (Currently Amended) A method, comprising:

offering to provide content including at least ~~two programs~~ one program over a data network from a content provider to a user;

prompting the user proximate to the beginning of each program, on a program-by-program basis, to choose an option of whether or not the user wishes to view advertising with that program;

providing each program to the user, based on the received option; and

receiving a choice compensation from the user if the user elects to not view advertising with the program, wherein the choice compensation is based on:

supply and demand per user depending on demographics of the user; or

ratings of the content being supplied; or

viewing habits of the user; or

any combination thereof.

29.(Currently Amended) The method of claim 28, wherein the ~~data network comprises a content display device~~ content comprises digital content.

30. (Currently Amended) The method of claim 28, wherein the data network comprises a content display device, or a communication layer, or a choice compensation module, or a content module, or any combination thereof.

31. (Currently Amended) The method of claim [29] 28, wherein the content is displayed

on a device including an intelligent television, or a computer, or a personal digital assistant, or a cellular telephone, or any combination thereof.

32. (Currently Amended) The method of claim [29] 28, wherein the user can elect to receive advertising other than advertising which interrupts the program.

33. (Deleted)

34. (Currently Amended) The method of claim 28, wherein the ~~choice compensation is determined based on the viewing habit; rating of the content; or demography of the user; or any combination thereof~~ content comprises visual content including video.

35. (Currently Amended) The method of claim 28, wherein the user transmits the ~~choice~~ option over the data network to the content provider.

36. (Previously Presented) The method of claim 28, wherein the choice compensation is a fee payable to the content provider by the user, wherein the fee is determined based on the content offered.

37. (Previously Presented) The method of claim 28, wherein the advertising is embedded in at least one program.

38. (Previously Presented) The method of claim 28, wherein the user comprises a subscribing individual user or a subscribing user household.

39. (Currently Amended) The method of claim 28, wherein the ~~choice compensation is determined based on the user's viewing habit, preference or selection~~ content comprises audio content.

40. (Currently Amended) A system, comprising:
a content server adapted to be in communication with a content display device, the content server capable of:
offering to provide content including at least two programs to the user over a data network;
prompting the user proximate to the beginning of each program, on a program-by-program basis, to choose an option of whether or not the user wishes to view advertising with that program;
providing each program to the user based on the received option; and
receiving a choice compensation from the user if the user elects not to view advertising with the program, wherein the choice compensation is based on:

supply and demand per user depending on demographics of the user; or
ratings of the content being supplied; or
viewing habits of the user; or
any combination thereof.

41. (Previously Presented) The system of claim 40, wherein the content includes digital content.

42. (Previously Presented) The system of claim 40, wherein the content comprises visual content including video.

43. (Currently Amended) The system of claim 40, wherein the content includes audio content.

44. (Currently Amended) The system of claim 40, wherein the data network comprises a content display device, or a communication layer, or a choice compensation module, or a content module, or any combination thereof ~~content includes radio~~.

45. (Currently Amended) A machine readable medium having stored thereon instructions that, when executed by a machine, result in the following:

offering to provide content including at least two programs over a data network from a content provider to a user;

prompting the user proximate to the beginning of each program, on a program-by-program basis, to choose an option of whether or not the user wishes to view advertising with that program;

providing each program to the user based on the received option; and

receiving a choice compensation from the user if the user elects not to view advertising, wherein the choice compensation based on:

supply and demand per user depending on demographics of the user; or

ratings of the content being supplied; or

viewing habits of the user; or

any combination thereof.

46. (Currently Amended) ~~A method for a content provider, comprising:~~

~~offering to provide content over a data network to a user with a first option to receive the~~

~~content without advertising and a second option to receive the content with advertising;~~

~~receiving, from the user, a choice of either the first option or the second option;~~

~~providing the content, over the data network, to the user based on the received choice;~~

~~receiving a choice compensation if the user elects the first option;~~

~~wherein the choice compensation is determined based on the ratings of the content being supplied~~ The machine readable medium of claim 45, wherein the choice compensation is a fee payable to the content provider by the user, wherein the fee is determined based on the content offered.

47. (Currently Amended) ~~A method, comprising:~~

~~providing content and advertising, over a data network, from a content provider to a user, with a first option to delete the advertising and a second option to keep the content with advertising;~~

~~allowing the user to select the first option and pay an increased fee for the content or the~~

~~second option and not pay the increased fee~~ The machine readable medium of claim 45,

wherein the user comprises a subscribing individual user or a subscribing user household.

48-49. (Cancelled)

50. (Currently Amended) The method of Claim 40, wherein the content is displayed on a device including an intelligent television, or a computer, or a personal digital assistant, or a cellular telephone, or any combination thereof ~~46, wherein the choice compensation is further determined based on the supply and demand of the content per user based on the demography of the user and/or the viewing habits of the user.~~

51. (Currently Amended) The method of claim 40, wherein the user can elect to receive advertising other than advertising which interrupts the program ~~choice compensation is determined based on the viewing habit; rating of the content; or demography of the user; or any combination thereof.~~

52. (Currently Amended) The method of claim 40, wherein the user transmits the option over the data network to the content provider ~~45, wherein the choice compensation is determined based on the viewing habit; rating of the content; or demography of the user; or any combination thereof.~~

53. (Currently Amended) The method of claim 40, wherein the choice compensation is a fee payable to the content provider by the user, wherein the fee is determined based on the content offered ~~46, wherein the choice compensation is determined based on the viewing habit; rating of the content; or demography of the user; or any combination thereof.~~

54. (Currently Amended) The method of claim 40, wherein the user comprises a subscribing individual user or a subscribing user household ~~47, wherein the choice compensation is determined based on the viewing habit; rating of the content; or demography of the user; or any combination thereof.~~

55. (Currently Amended) The machine readable medium of claim 45, wherein the content includes digital content ~~method of claim 28, wherein the choice compensation is further determined based on the supply and demand of the content per user based on the demography of the user and/or the viewing habits of the user.~~

56. (Currently Amended) The machine readable medium of claim 45, wherein the content comprises visual content including video ~~method of claim 40, wherein the choice compensation is further determined based on the supply and demand of the content per user based on the demography of the user and/or the viewing habits of the user.~~

57. (Currently Amended) The ~~method~~ machine readable medium of claim 45, wherein the content includes audio content ~~choice compensation is further determined based on the supply and demand of the content per user based on the demography of the user and/or the viewing habits of the user.~~

58. (Currently Amended) The ~~method~~ machine readable medium of claim 45, wherein the data network comprises a content display device, or a communication layer, or a choice compensation module, or a content module, or any combination thereof ~~47, wherein the choice compensation is further determined based on the supply and demand of the content per user based on the demography of the user and/or the viewing habits of the user.~~

59. (Previously Presented) The method of claim 40, wherein the advertising is embedded in at least one program.

60. (Currently Amended) The ~~method~~ machine readable medium of claim 45, wherein the advertising is embedded in at least one program.

61. (Currently Amended) The ~~method~~ machine readable medium of claim 45, wherein the content is displayed on a device including an intelligent television, or a computer; or a

personal digital assistant, or a cellular telephone, or any combination thereof 46, wherein the advertising is embedded in at least one program.

62. (Currently Amended) The ~~method~~ machine readable medium of claim 45, wherein the user can elect to receive advertising other than advertising which interrupts the program 47, ~~wherein the advertising is embedded in at least one program.~~

63. (New) The machine readable medium of claim 45, wherein the user transmits the option over the data network to the content provider.